

Att'y Dkt. No.: US-102

U.S. App. No: 10/716,480

**IN THE CLAIMS:**

*Kindly rewrite Claims 1-9 as follows, in accordance with 37 C.F.R. § 1.121:*

What is claimed is:

1. (cancelled)
2. (currently amended) An isolated DNA encoding a mutant LysE protein, wherein said mutant is selected from the group consisting of:
  - A) a protein comprising the amino acid sequence of SEQ ID NO: 2 except that the glycine residue at position 56 is replaced with another amino acid residue, and
  - B) a protein comprising the amino acid sequence of SEQ ID NO: 2 except that
    - i) the glycine residue at position 56 of SEQ ID NO: 2 is replaced with another amino acid residue, and
    - ii) not more than 10 amino acid residues at positions other than the 56th residue are substituted, deleted, or inserted, wherein said mutant imparts resistance to S-(2-aminoethyl) cysteine when introduced into said methylotroph.
3. (previously presented) The DNA of claim 2, wherein said DNA is selected from the group consisting of:
  - A) a DNA which has the nucleotide sequence of SEQ ID NO: 1, except that a mutation which results in replacement of the 56th glycine residue of the encoded protein with another amino acid residue; and
  - B) a DNA which is hybridizable with the nucleotide sequence of SEQ ID NO: 1 under stringent conditions comprising washing in 1xSSC and 0.1%SDS at 60°C.
4. (previously presented) The DNA of claim 2, wherein said glycine residue at position 56 is replaced with a serine residue.
5. (cancelled)
6. (previously presented) The DNA of claim 2, wherein said methylotroph is a bacterium belonging to the genus *Methylophilus* or *Methylobacillus*.
7. (previously presented) A bacterium comprising the DNA of claim 2 in an expressible form, wherein said bacterium belongs to the genus *Methylophilus* or *Methylobacillus*, and wherein said bacterium has L-lysine or L-arginine producing ability.

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8. (withdrawn) A method for producing L-lysine or L-arginine comprising the steps of

A) culturing the bacterium of claim 7 in a medium, and

B) collecting L-lysine or L-arginine from the culture.

9. (withdrawn) The method for producing L-lysine or L-arginine of claim 8, wherein the medium contains methanol as a major carbon source.